

Howard Elisofon, Esq.  
John Oleske, Esq.  
Attorneys for Dominick & Dominick LLC  
Herrick, Feinstein LLP  
2 Park Avenue  
New York, New York 10016  
Tel: (212) 592-1400  
Email: helisofon@herrick.com

**Document Electronically Filed**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
RONALD AHLEGIAN and PAUL BEATTY,

Plaintiffs,

Docket No. 09 Civ. 0353 (NRB)

-against-

DOMINICK & DOMINICK LLC, KEVIN P.  
MURPHY, ANTHONY S. CORBETT, P.  
CHRISTIAN BREVIG and MICHAEL J.  
CAMPBELL,

**NOTICE OF MOTION TO DISMISS  
PURSUANT TO RULE 12(b)(6)**

Defendants.  
-----

**PLEASE TAKE NOTICE** that Defendant Dominick & Dominick LLC ("D&D"), by its attorneys Herrick, Feinstein LLP, shall move, before the Honorable Naomi Riece Buchwald, U.S.D.J., United States Courthouse, Room 21A, 500 Pearl Street, New York, New York, 10007, for the entry of an Order pursuant to Fed R. Civ. P. 12(b)(6) dismissing the complaint in its entirety on the grounds that it fails to state a claim upon which relief can be granted.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Plaintiff shall rely upon the this Notice of Motion and the accompanying Memorandum of Law.

Dated: New York, New York  
June 9, 2009

HERRICK, FEINSTEIN LLP

By:                     /s/                    

Howard Elisofon

John Oleske

2 Park Avenue

New York, New York 10016

Telephone: 212-592-1400

[helisofon@herrick.com](mailto:helisofon@herrick.com)

[joleske@herrick.com](mailto:joleske@herrick.com)

*Attorneys for Defendant*

*Dominick & Dominick LLC*